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FEDERAL COMMUNICATIONS COMMISSION  
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BEFORE THE  
**FEDERAL COMMUNICATIONS COMMISSION**  
WASHINGTON, DC 20554

In the Matter of )  
)  
Revision of the Commission's Rules to Ensure )  
Compatibility with Enhanced 911 Emergency )  
Calling Systems )

CC Docket No. 94-102

To: Chief, Wireless Telecommunications Bureau

**REPLY COMMENTS OF VOICESTREAM WIRELESS CORPORATION**

VoiceStream Wireless Corporation ("VoiceStream")<sup>1</sup> hereby files its response to certain comments filed regarding the Wireless Telecommunications Bureau's ("Bureau") Public Notice proposing a new deadline for implementation of a digital wireless TTY solution.<sup>2</sup> VoiceStream agrees with numerous commenters that compliance, in a manner acceptable to the Commission, with the rule by the proposed December 31, 2001 date is infeasible for VoiceStream and other wireless carriers utilizing GSM technology. Adoption of a deadline at this date, therefore, is premature; rather, the record in this proceeding supports further Commission monitoring of the international standards implementation process and vendor development and deployment of technical solutions that are satisfactory to the Commission through the TTY Forum.

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<sup>1</sup>Based in Bellevue, Washington, VoiceStream is the fastest growing provider of personal communications services ("PCS") in the United States. VoiceStream provides PCS throughout the United States using Global System for Mobile Communications ("GSM") technology. As a result of recent mergers with both Omnipoint Corporation and Aerial Communications, VoiceStream's coverage area would allow it to serve three out of every four people in the United States.

<sup>2</sup>See FCC Public Notice, *Wireless Telecommunications Bureau Seeks Comment on New Implementation Deadline for TTY Access to Digital Wireless Systems for 911 Calls*, CC Docket No. 94-102, DA 00-1091 (May 17, 2000).

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## DISCUSSION

### I. THE RECORD DEMONSTRATES THAT THE COMMISSION'S PROPOSED DECEMBER 31, 2001 COMPLIANCE DEADLINE IS INFEASIBLE

The record demonstrates that considerable progress has been made toward the availability and deployment of a digital TTY solution, including a solution for carriers using GSM technologies.<sup>3</sup> However, a review of comments submitted by manufacturers of handset and network equipment reveals that the dates that TTY-compatible GSM products will be commercially available are uncertain at the present time. It also is unlikely that GSM-based carriers -- who must install and test such handsets and equipment after it becomes commercially available will be able to comply with the Commission's proposed December 31, 2001 deadline.

VoiceStream is monitoring the progress of the Ericsson's proposed GSM solution through the standards process. As a number of parties have indicated, it is uncertain whether the proposed Ericsson solution will be adopted by the relevant standards body (ATIS Working Group T1P1.5) or available for carrier implementation in a timely manner. Manufacturers Nokia and Motorola both assert that the Ericsson standard must be approved and implemented by September 2000 in order for VoiceStream to realistically meet the proposed deadline, and ATIS indicates that the pre-publication standard "*could* be approved" and be available to manufacturers "as early as September 2000."<sup>4</sup> Given the standard product development cycle of 12-18 months between the release of a standard and commercial availability of a product, however, a September 2000 date for the new standard will not provide sufficient time for carrier deployment.<sup>5</sup> Indeed, Ericsson -- which estimates that its TTY-compliant GSM equipment will

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<sup>3</sup>See Ericsson Comments at 1-2. Balloting on the proposed GSM standard is scheduled to begin this month. Comments of the Alliance for Telecommunications Industry Solutions (ATIS) at 2.

<sup>4</sup>See Comments of the ATIS at 2 (emphasis in original); Nokia Comments at 3 (uncertain whether standard will be adopted and available for implementation by September 2000); Motorola Comments at 5 (September 2000 availability necessary for carrier compliance by proposed deadline). ATIS notes, however, that the formal availability date, after editing and formal ANSI approval, will be November 2000 at the earliest. Comments of ATIS at 2.

<sup>5</sup>See Motorola Comments at 6 (12-18 months); SBC Wireless Comments at 1-2 ("time frames for GSM infrastructure upgrades leave no room for unexpected issues or problems"). SBC Wireless' statement that the

be available 3Q2001 (for handsets) and 4Q2001 (for base stations) -- states that "it is imperative that the Commission provide service providers with sufficient time to accomplish the rollout and launch of equipment" with "a date subsequent to the December 31, 2001 deadline."<sup>6</sup>

It also is very likely that a rush to implementation will result in products that will be unsatisfactory to the user community. Unless and until vendors and carriers can assure the user community of an appropriate quality level, the deadlines ought to be reset by the Commission.

Given the information provided to VoiceStream by its vendors, and the deployment timetables submitted in the record by its vendors, a December 31, 2001 deadline is not feasible at acceptable quality levels. The record is clear that other carriers and their vendors also find that date infeasible. The Commission should not adopt the proposed December 31, 2001 deadline and, instead, should monitor the standards process and manufacturer testing and production efforts through the TTY Forum prior to establishing the new compliance deadline. At minimum, it should confirm that it will waive the implementation deadline for carriers diligently working to deploy a compliant digital TTY solution but who are unable to comply due to the unavailability or late availability of compliant products and equipment from manufacturers.<sup>7</sup>

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proposed deadline "should be achievable" is, as SBC Wireless acknowledges, subject to: completion of the standards process by September 2000; successful testing; and vendors meeting their commitments. SBC Wireless Comments at 4.

<sup>6</sup>Ericsson Comments at 4. Ericsson suggests a compliance date of 6 months from the time manufacturers make equipment available to carriers. *Id.*

<sup>7</sup>The Commission has previously granted waivers or extended implementation deadlines in recognition that carriers/licensees are dependent on, and have limited control over, equipment availability. *See, e.g., Coon Valley Telephone Company et al., Order*, 13 FCC Rcd 17490, ¶¶ 12-13 (1998) (waiving CIC Code implementation deadline due to unavailability of equipment); *Roosevelt County Rural Telephone Cooperative, Inc., Order*, 13 FCC Rcd 22, ¶ 24 (1997) (same); *Amendment of Part 73, Subpart G, of the Commission's Rules Regarding the Emergency Broadcast System, Memorandum Opinion and Order*, 10 FCC Rcd 11494, ¶ 30 (1995) (delaying implementation deadline of Emergency Alert System due to equipment production issues).

## **II. THE COMMISSION SHOULD CONTINUE TO MONITOR VENDORS' DEPLOYMENT EFFORTS THROUGH THE TTY FORUM, NOT VIA CARRIER-SPECIFIC FILINGS**

In the Public Notice, the Commission sought comment on means of monitoring carrier progress toward digital TTY implementation, including requiring carriers to submit an implementation plan and requiring quarterly reports. A number of parties have demonstrated that such requirements would serve little regulatory purpose and, indeed, would more likely distract carrier personnel from the very objective of digital TTY deployment.<sup>8</sup> More fundamentally, the obstacles facing carriers in their digital TTY deployment efforts are not carrier-specific; rather, digital TTY deployment in the near term is much more a matter of manufacturer progress than carrier progress.<sup>9</sup> VoiceStream thus supports recommendations that the Commission continue to monitor development, testing and deployment efforts via the TTY Forum.<sup>10</sup>

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<sup>8</sup>See BellSouth Comments at 8-9; CTIA Comments at 5-7; Comments of Rural Cellular Association at 4-5; Sprint PCS Comments at 10-12.

<sup>9</sup>The reporting requirements recommended by SBC Wireless, which would require reporting almost exclusively by the TTY Forum and manufacturers, further illustrate that progress on digital TTY solutions is largely dependent on manufacturer efforts. Comments of SBC Wireless Inc. at 5-6.

<sup>10</sup>See Comments of the Cellular Telecommunications Industry Association at 5-7.

## CONCLUSION

As discussed herein, the Commission's proposed deadline of December 31, 2001 is premature and, for VoiceStream and other carriers, infeasible. Furthermore, the Commission should continue to monitor industry development, testing and deployment efforts through the TTY Forum, and should not require individual carrier progress reports that would disrupt these efforts.

Respectfully submitted,

VOICESTREAM WIRELESS CORPORATION

A handwritten signature in black ink that reads "Brian Thomas O'Connor". The signature is written in a cursive style with a small flourish at the end.

By:

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July 19, 2000